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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 **NATIONWIDE LIFE INSURANCE**
12 **COMPANY,**

Case No. 2:16-cv-01845--JAD-NJK

13 Plaintiff,

14 **LYNN MARTINEZ,**
15 **AMERICAN FUNERAL**
16 **FINANCIAL, LLC, DIANE COLLEY,**
17 **MICHELLE COLLEY, MELISSA**
18 **COLLEY AND MEGAN COLLEY,**

STIPULATION TO
CONTINUE HEARING ON
MOTION TO DISMISS [AND
PROPOSED ORDER]

19 Defendants.

20 **DIANE COLLEY, MICHELLE**
21 **COLLEY, MELISSA COLLEY AND**
22 **MEGAN COLLEY,**

23 Cross-Complainants

24 vs.

25 **LYNN MARTINEZ,**

26 Cross-Defendant.

1 Cross-Complainants DIANE COLLEY, MICHELLE COLLEY, MELISSA
2 COLLEY and MEGAN COLLEY (“COLLEYs”), by and through their Counsel of
3 Record, THRONE & HAUSER and Cross-Defendant LYNN MARTINEZ
4 (“MARTINEZ”), by and through her Counsel of Record, SOLOMON DWIGGINS
5 & FREER, LTD. (collectively “Parties”)¹, hereby submit the instant Stipulation to
6 Continue the Hearing on Motion to Dismiss currently scheduled for September 25,
7 2017 for a period of at least 30 days each as the parties are very close to a global
8 settlement and desire to minimize the expenditure of time and money in this case;

9 Based upon the foregoing,

10 IT IS HEREBY STIPULATED AND AGREED that the hearing on Defendant
11 MARTINEZ’s Motion to Dismiss Cross-Complaint and the COLLEYs’ Counter-
12 Motion to Amend Cross-Complaint currently set for September 25, 2017 at 2:30
13 p.m. in front of the Honorable Judge Jennifer A. Dorsey be continued for a period
14 of at least 30 days to the Court’s next available date.

16 DATED this 15 day of September, 2017. DATED this 15 day of September, 2017.
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18 SOLOMON DWIGGINS & FREER

THRONE & HAUSER

20 By: /s/ Jeffrey P. Luszeck

21 Jeffrey P. Luszeck, Esq.
22 Bar No. 9619
23 Cheyenne Professional Centré
24 9060 West Cheyenne Avenue
25 Las Vegas, Nevada 89129
26 *Attorneys for Lynn Martinez*

By: /s/ Dawn R. Throne

27 Dawn R. Throne, Esq.
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*Attorneys for Dianne Colley, Michelle
Colley, Melissa Colley and Megan Colley*

1 ¹ Plaintiff NATIONWIDE LIFE INSURANCE COMPANY has been dismissed pursuant to Order
2 dated June 1, 2017.

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ORDER
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IT IS HEREBY ORDERED, in accordance with the foregoing
Stipulation, that the hearing on MARTINEZ's Motion to Dismiss Cross-
Complaint and the COLLEY'S Counter-Motion to Amend Cross-Complaint
is hereby continued to October 30, 2017 at 3:30 p.m.

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9 DATED this 17th day of September, 2017.
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UNITED STATES DISTRICT COURT JUDGE